

ATTORNEY REGULATION ADVISORY COMMITTEE

MINUTES

Thursday, January 10, 2013

9:30am - Noon

State Courts Building
1501 West Washington Street, Phoenix, Arizona
Conference Room 109

Present

Committee Members

Hon. William J. O'Neil (Chair)
Hon. Lawrence Winthrop
Benny Click
James Drake, Jr.
J. Scott Rhodes
George Riemer
Patricia Sallen
John Tuchi
Maret Vessella

AOC Staff

Emily Holliday
Kathleen Curry
Mark Wilson
Kim Mate
Jackie Deventer

Telephonically Present

Emily Johnston
Pamela Treadwell-Rubin

Absent

Alan P. Bayham, Jr
Dr. Ronald R. Watson

Regular Business

9:30 a.m. Call to Order and Introductions

Judge William O'Neil, Chair

Business Items and Potential Action Items

Introductions

No. 1 Review and Approve November 2012 ARC minutes
Approved with amendments

No. 2 Rule Petitions

Judge O'Neil/Kathleen Curry

- Early Bar Exam – Order signed December 10, 2012
 - Court wanted the law student to sign the affidavit.
 - The law school's certification decision is final.
 - ARC is to file a report with the court in 2015.
 - Evaluation and status updates to be provided at future ARC meetings by Jim Drake.
 - Clinical, statistical analysis of passage rates
 - Evaluation with applicants on the impact
- Military Spouse Licensure – Order signed December 10, 2012
 - Applicant would go through a full Character and Fitness process but it will be expedited.
- Admission on Motion – Order signed December 10, 2012
 - Allows attorney to be admitted on motion if they have been admitted by bar exam in any state and practiced for five of seven years in a reciprocal state.
- Appeals Process – Comments due May 21, 2013
 - New petition filed, no number yet
 - Appeals process in disciplinary matters to match the appeals process in the Court of Appeals.
 - Can be looked at in the Rules subcommittee

No. 3 Update by Subcommittees

- Admissions – John Tuchi
 - 12 monthly forums this year to review the structure of the current Admissions process, specifically the Character and Fitness Committee.
 - Schedule of forum dates is on Arizona Judicial Branch website and published in the Arizona State Bar magazine.
 - Similar to legislative hearing including “evidence” presented by staff and commentary from the public.
 - Examinations- Jim Drake
 - September and October forums will review Examinations rules and process.
 - Forum information provided to public- J. Scott Rhodes
 - Discussion
 - Forum information, links, and ARC e-mail address listed on Arizona State Bar website, publications, and the Arizona Judicial Branch website
- Rules – Judge O'Neil
 - Only item for subcommittee is the new Appeals Process Rule Petition.
- Costs – Pamela Treadwell-Rubin
 - No current items

No. 4 Update by Chair on Future Business

Judge O'Neil

- 2013 Meeting Dates
- April 30 – ARC Annual Report Due
 - Maret Vesella and Patricia Sallen will be part of the drafting of the annual report.
 - Tentative report prepared by March 11 for review.
 - There could be a telephonic meeting scheduled before the April ARC meeting to review the tentative report after it is completed.

No. 5 New Business

- Patricia Sallen- the Practice Pending Admission Model Rule adopted by the ABA.
- Maret Vesella- ABA is going to review the rules of disciplinary enforcement
- Patricia to update ARC when changes are made to ABA code of professional responsibility, ethical rules, or admission rules.
- Kathy Curry- Subcommittee list should be sent out to Committee members.

No. 6 Call to Public

- None

Adjournment of meeting by Judge O'Neil at 10:23am